

COLORADO

Seller - Server Training Standards-2004

Preamble

These Training Standards are the result of a cooperative effort of a workgroup comprised of representatives of local law enforcement, the liquor industry, municipal and county governments, local and national seller –server training programs, and the legal profession which met during May and June, 2004. Chaired by the Liquor Enforcement Division Director, the group convened following the passage of Senate Bill 04-093, which required the Liquor Enforcement Division Director to establish seller/server training standards using input from these interested persons. These standards are also to be used to comply with House Bill 04-1021, which required the Division to establish training standards for off-premises licensees and employees desirous of conducting beverage alcohol tastings.

As mandated by this legislation, compliance with these standards by Colorado liquor and beer licensees designates licensees as "Responsible Vendors" and also requires local and state authorities to consider completion of the training as a mitigating factor when imposing penalties for sales to minor violations that are detected during compliance checks.

Finally, participation in the seller – server training to become a "Responsible Vendor" is not mandatory. However, it should be noted that there was unanimous agreement by workgroup participants regarding the value of server training for on-site owners, managers and sellers – servers of beverage alcohol. The Division encourages government and all seller – server training programs to incorporate these minimum standards into their training programs for use in Colorado.

I. Core Program Standards

A. Must be attended by resident on-site owner (if applicable), all managers, and employees selling – serving beverage alcohol. Once a licensee has been designated as a "Responsible Vendor" all new employees must complete this training within 60 days. *(Note: It is not the intent of this section to require participation by non-resident owners or non-resident officers, directors or stockholders, but rather to insure participation by those resident owners actually involved with the day to day operation of the business).*

B. Recertification must occur every 2 years.

C. Minimum program time 4 hours

D. Program provides written documentation of program attendance by/for each attendee

E. Program must have a method of evaluating its own effectiveness through

1. Testing of attendees for knowledge
2. Surveys of program effectiveness received from attendees
3. Verbal attendee feedback or discussion that is documented by program providers

II. Core Curriculum Standards

A. Discussion concerning Alcohol's Physical Effects

1. Alcohol's effects on the body
2. Visible signs of intoxication
 - a. What are the signs?
 - b. Recognizing the signs

B. Liquor Liability

1. Civil liability
2. Criminal liability
3. Administrative liability (*License Sanctions*)
4. Licensee and Manager have additional liability for the actions of their employees

C. Sales to Visibly Intoxicated Persons

1. Colorado law provisions
2. Recognition and prevention
3. Intervention techniques
4. Related laws or issues
 - a. DUI/DWAI
 - b. Regulation 47-900, loitering of visibly intoxicated persons prohibited

D. Sales to Minors

1. Colorado law provisions
 - a. Sale and Service
 - b. Permitting Consumption
2. Acceptable forms of Identification - Regulation 47-912
 - a. How to check I.D.'s - protocol
 - b. Spotting false identification

- c. Mistakes made when checking

E. Local Licensing and Enforcement

1. What is their involvement with alcohol licensing and enforcement in Colorado?
2. Encourage licensees to develop a working relationship with these agencies
3. Licensee encouraged to learn specialized local law provisions affecting their business

F. State Licensing and Enforcement

1. Colorado Liquor Enforcement Division
 - a. What is their involvement with alcohol licensing and enforcement in Colorado?
 - b. How to contact
2. Encourage licensees to develop a working relationship with this agency

G. Other key state laws and rules affecting owners, managers, sellers and servers

1. Age of servers CRS 12-47-901(5)(a)(I)
2. Provisions for confiscating fraudulent I.D. C.R.S. 12-47-901(5)(a)(II and III)
3. Removal of liquor from on-premises licensed establishment prohibited, Regulation 47-918. Removal of a partially consumed bottle of vinous liquor (1 bottle not exceeding 750 ml) from licensed restaurants is allowed by consumer if it is resealed.
4. Patrons prohibited from bringing liquor onto licensed premises, C.R.S. 12-47-901(1)(h)
5. Permitted hours of sales and service, C.R.S. 12-47-901(5)(b)
6. Conduct of establishment, Regulation 47-900
 - a. Activity offensive to senses of average citizen
 - b. Nudity and prohibited entertainment
7. Requirement to permit inspections by State and local licensing and enforcement authorities, Regulation 47-700
8. Changes in ownership and management must be reported, C.R.S. 12-47-301(7)(8)
9. Licensee responsible for activities occurring within licensed premises
 - a. Private parties - licensee held accountable for all liquor law violations within their premises
10. Tastings – Off-Premises establishments with local opt-in, C.R.S. 12-47-301(10)

11. Purchases by On-premises retailers (\$1000 H/r - \$500 all others).

H. Recommendations for Licensees

1. Establish policies and procedures
2. Establish a record keeping system to document activities and events
3. Contact local authority on incident reporting expectations